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## **INTEGRATIONAL PROCESSES TO EUROPEAN AND WORLD COMMUNITY OF THE KINGDOM OF SPAIN (1950-1980's) AND UKRAINE (1990-2010's): COMPARATIVE ANALYSIS**

As a result of the Spanish Civil War of 1936-1939 in state was installed a military regime, led by *caudillo* Francisco Franco. State were renamed to *Estado Español*. It emphasized its difference from the Spanish Republic, which existed in 1931-1939<sup>3</sup>. This resulted in the *de facto* isolation of Spain in the international arena. On the one hand, European democracies that characterized Franco regime as fascist, the other - the Soviet Union, which supported the Republicans in the Civil War that it suffered defeat. The relationship preserved, in fact, only with the German Reich and Fascist Italy, which supported Franco from the start of war.

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<sup>3</sup>Ley Constitutiva de las Cortes Españolas de 1942.

However, neutrality and non-intervention of Spain in World War II, the creation of the United Nations in 1945 and the post-war restoration of state institutions, creating the legal framework and ensuring of human rights led to the fact that in the late 40's – early 50's of the twentieth century Spain began the gradual development of diplomatic relations with European countries<sup>4</sup>.

In 1947 Spanish state was again proclaimed a kingdom, but the throne has remained unoccupied, but as a “regent” appeared *caudillo* Franco<sup>5</sup>.

Stalin's death in 1953 and the change of ideology in Spain from Falangism to National Catholicism in the same year, led to the further development of international politics, and already in 1955 Spain became a member of the UN<sup>6</sup>. However, because the regime could not be described as democratic, issues of deep integration into the EU and NATO had no development, although the course of European integration was elected Spanish government shortly after joining the UN – in 1960's.

Because of “soft democratization” of the Franco regime during the 1950-1970's Spain attracted the attention of the international community, set and develop interstate relations etc. But membership in EU and NATO gained by Spain after Franco's death, the real restoration of the monarchy in 1975 and adoption of the new Constitution of the Kingdom of Spain in 1978. The new Constitution provided the entire population equal civil rights, introduced a multiparty system and effective parliamentary system – the new Spanish monarchy was parliamentary (constitutional), the king relied symbolic function of unifying factor for Spain and Spaniards<sup>7</sup>. Until the entry into force of the new Constitution, Spain already become a member of the Council of Europe<sup>8</sup>, giving guarantee of harmonization of domestic legislation with the standards of the Council, in particular, abandoning the death penalty already after joining the Council of Europe.

Similarly, in 1991 we experienced the birth of the new Ukrainian state. However, our country has not experienced international isolation and has maintained membership in the UN of the Ukrainian SSR<sup>9</sup>. In other areas can produce a significant number of parallels.

Ukraine joined the Council of Europe in 1995<sup>10</sup>, for the year to the adoption of a new democratic constitution. A year earlier, Ukraine became a member of NATO's “Partnership for Peace” programme<sup>11</sup> and signed an Agreement of Partnership and Co-operation with the European Communities. Later there was a gradual harmonization of

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<sup>4</sup> G. Volkova and A Demytyev. *Political history of Spain in XX century*. Moscow: Vysshaya skola, 2005 (on Russian).

<sup>5</sup> Ley de Sucesión en la Jefatura del Estado de 1947.

<sup>6</sup> Historia de la España en la ONU: <http://www.spainun.org/espana-en-la-onu/historia/>.

<sup>7</sup> Constitución Española de 1978.

<sup>8</sup> Spain // 47 States, one Europe: <http://www.coe.int/en/web/portal/spain>.

<sup>9</sup> Law of Ukraine “About legal succession of Ukraine” of 1992.

<sup>10</sup> Ukraine // 47 States, one Europe: <http://www.coe.int/en/web/portal/ukraine>.

<sup>11</sup> Law of Ukraine “About ratification of Agreement between North Atlantic Treaty Organization members and other countries which participating in “Partnership for Peace” programme about status of them armed forces and the Additional Protocol to this Agreement” of 2000.

national legislation with EU standards. Unfortunately, under President Yushchenko was disrupted signing MAP of Ukraine in NATO.

Then, in 2010, the Constitutional Court of Ukraine was decided on the unconstitutionality of the reform of 2004 and President of Ukraine Viktor Yanukovich been granted more powers than those for which he was elected<sup>12</sup>.

In November 2013 scheduled signing of the Association Agreement, however, the time it was postponed indefinitely<sup>13</sup>. This caused a violent wave of public protest, which resulted in President Yanukovich withdrew from performing his own powers, and provisions of constitutional reform in 2004 were recovered<sup>14</sup>.

This was followed by the signing of the Association Agreement, which now is a pointer for Ukrainian internal and external policy.

Over the past two years in Ukraine there was absolute democratization, realized or implemented reforms of education, prosecutor's office, police, civil service, constitutional reform, the judiciary reform and others. The completion of these reforms is a signal for future entry into the EU.

As the Spanish example, only a gradual and consistent reforms can achieve real integration into the world political and economic space. In conclusion, I would like to recall the inscription engraved on the tombstone of the first Prime Minister of democratic Spain Adolfo Suarez: "Accord was possible." We hope that Ukraine accord is still possible.

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<sup>12</sup> Decision of the Constitutional Court of Ukraine in the case on the proposal of 232 people's deputies of Ukraine about for compliance with the Constitution of Ukraine (constitutionality) of the Law of Ukraine "About Amendments to the Constitution of Ukraine" of 2004 No. 2222-IV (the case on the observance of the procedure for amending the Constitution of Ukraine).

<sup>13</sup> Order of the Cabinet of Ministers of Ukraine "The question of the Association Agreement between Ukraine, on one side, and the European Union, the European Atomic Energy Community and their member countries, on the other side" of November 21, 2013 No. 905-p.

<sup>14</sup> Law of Ukraine "About the recovery of certain provisions of the Constitution of Ukraine" of 2014.